

## **Frequently Asked Questions During COVID-19 Suspended Services: Family Court Procedures During Emergency Conditions**

All San Diego Superior Court locations will be closed to the public through April 30, 2020, except as to those matters listed in the General Orders of the Presiding Department, Order Nos. 031820-34, 031920-35, 032420-36 and 040320-39.

All matters scheduled to be heard between March 17, 2020, and April 30, 2020, will be continued to a new date. As additional information becomes available, it will be posted to our website.

**Q: What Family Court services are currently available?**

A: The only Family Court services available during this period are:

- One Family law judge at each branch will review ex parte requests for DV TROs and starting on April 8, 2020, emergency ex partes for all types of family matters.
- Emergency surrogacy order requests (members of the public with such a need are asked to notify the court with their request through the email address: FAM@SDCOURT.CA.GOV).

**Q: Will my hearing be rescheduled and will I receive a copy of the new hearing date?**

A: Previously set hearings that do not meet the criteria noted above will be rescheduled. At this time, continuance dates have not yet been confirmed. You will receive a notice regarding your new hearing date once matters are continued.

***Note: Restraining Order matters set on calendar during the closure will be continued to a new date within 21 to 25 days and notices will be mailed.***

**Q: What if I need an emergency family ex parte order?**

A: If a person needs to request an emergency family ex parte order they should submit their Ex Parte Application and Order Form (D-46) and supporting Ex Parte paperwork including a Request for Order Form (FL-300) if applicable and a Credit Card Payment form (ADM-253) to the designated Ex Parte/Information Booth at the desired location. Check payments will also be accepted, but there should be two separate checks submitted at time of filing the Ex Parte paperwork if accompanied by a Request for Order (A separate check for the Ex Parte Application and a separate check for the Request for Order and Court Reporter Fee).

Upon receipt of the paperwork, the clerk will set the matter for a hearing date and time. Notice must be provided by the moving party to the responding party in the case 24 hours prior to the scheduled hearing date and time. Opposition paperwork may be filed at the designated Ex Parte/Information Booth at the desired location no later than one hour prior to the designated hearing date and time. Parties should show up to court at the designated hearing date and time to the designated Ex Parte/Information Booth to pick up their paperwork. The paperwork will have been reviewed by the Judicial Officer and either granted or denied. No formal court hearings will take place.

**Q: I am self-represented and need an emergency order, is there assistance available to prepare a request to submit to the court:**

A: Court users who do not have an attorney of record and are seeking assistance to request an emergency order may send inquiries to [FAM.SelfHelp@sdcourt.ca.gov](mailto:FAM.SelfHelp@sdcourt.ca.gov). Be aware, non-emergency issues will not be answered.

**Q: If my child and/or I must shelter in place, how do I comply with the child custody and visitation orders?**

A: Unfortunately, that is a legal question as to whether your situation involves an exception to shelter in place orders issued by the County or State. Since the Court is prohibited from giving legal advice, you may wish to seek legal advice or contact the authority issuing the shelter in place order for guidance.

**Q: Can I obtain copies from my file during the Court closure?**

A: Requests for copies will not be processed at this time. These requests will be processed once the Court reopens for business.

**Q: I am currently not working (or my income has been drastically reduced) due to COVID-19. How does this affect my current child support order?**

A: Unfortunately, that is a legal question. Since the Court is prohibited from giving legal advice, you may wish to seek legal advice. Please see resources listed on our website.

Other than the exceptions listed above, the San Diego Superior Court has suspended the acceptance of filings in the Family Business Office. Filings that were submitted prior to the Court's closure will be honored for the date they were received. Any items received after the closure will be honored for the date the Court reopens.

Please refer to General Order 040320-39 and the Court's website ([www.sdcourt.ca.gov](http://www.sdcourt.ca.gov)) for up-to-date information.